

Interview Summary

Application No.
08/244,857

Applicant(s)
Evans et al.

Examiner
Jon P. Weber, Ph.D.

Group Art Unit
1808



All participants (applicant, applicant's representative, PTO personnel):

(1) Jon P. Weber, Ph.D. (3) _____

(2) Stephen Reiter (4) _____

Date of Interview 15 Feb 1996

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: 51 and 52

Identification of prior art discussed:

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Examiner explained that after review in concert with Biotechnology Practice Specialist, Richard Schartz, and with Supervisor, Mike Wityshin, it was determined that: (a) the prospective interfering claims are sufficiently enabled when one considers the state of the art at the time of filing, and (b) that although the question of priority was very close, it was decided to grant benefit of priority at this time. As a consequence, the rejections under § 112, first paragraph and rejections based upon lack of benefit of priority under 35 U.S.C. 120 would be withdrawn in the next Office action. It was requested that attorney provide a response to the outstanding Office action which sets forth the reasons for enablement and priority. Such a response would be considered "special" according to MPEP 2307.02. Interference could then be initiated over the claims.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.